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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---------------------------------------------------------------------------------------|-------------|----------------------|----------------------|------------------|
| 10/516,955 | 12/06/2004 | Bernard Gromoll | 1454.1586 | 8626 |
| 21171 | 7590 | 06/19/2007 | EXAMINER | |
| STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005 | | | SCHEUERMANN, DAVID W | |
| | | ART UNIT | PAPER NUMBER | |
| | | 2834 | | |
| | | MAIL DATE | DELIVERY MODE | |
| | | 06/19/2007 | PAPER | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/516,955 | GROMOLL ET AL. | |
| | Examiner | Art Unit | |
| | David W. Scheuermann | 2834 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 4/11/2007.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 12-21 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 12-21 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
 If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

| | |
|----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 4/11/2007 have been fully considered but they are not persuasive in view of the new grounds of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 12-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Philofsky, US 3271600 in view of Dustmann, US 4578962. Philofsky, US 3271600 discloses:

An electrical machine comprising

A rotor rotatably mounted; (inherent)

A stator associated with said rotor in a stationary position 10, and

A cooling device, cooling at least parts of said stator, including (inherent)

[A refrigeration unit comprising at least one cold head having at least one cold surface; and

A closed line system (note lines 14 and 17 of figure 1 of Dustmann, US 4578962)

containing:

A coolant, thermally coupled to the cold surface (22, Dustmann, US 4578962),

and

Said line system, thermally coupling said cold head to the parts of said Stator to be cooled, having discrete coolant areas associated with the parts of said stator to be

Cooled,

Wherein the heat generating parts of said stator are located at a geodetic lower level than the cold surface (see figure 1, Dustmann, US 4578962) and in which a coolant is circulated by a thermosiphon effect, the coolant being heated or at least [partially vaporized] in the discrete coolant areas.]

Philofsky, US 3271600 does not expressly disclose the bracketed material.

Dustmann, US 4578962 teaches using a thermosiphon to circulate cooling fluid for the inherent purpose of eliminating the need for a mechanical pump. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to replace circulation pump 55 of Philofsky, US 3271600 with a thermosiphon system of Dustmann, US 4578962. One of ordinary skill in the art would have been motivated to do this so that no separate pump is needed.

Furthermore, Dustmann, US 4578962 teaches using a refrigeration unit with its inherent cold head to cool an electric machine, for the inherent purpose of allowing the

machine to operate at its maximum load. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a refrigeration unit with a cold head in to cool cooling fluid of the device of Philofsky, US 3271600. One of ordinary skill in the art would have been motivated to do this to enhance the cooling effect.

Finally, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a vaporizable coolant as taught by Dustmann, US 4578962, see column 3, lines 5-15. One of ordinary skill in the art would have been motivated to do this to enhance the cooling effect. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a two-phase coolant in the device of the combination of Philofsky, US 3271600. One of ordinary skill in the art would have been motivated to do this the take advantage of the large heat capacity of the latent heat of vaporization of the cooling fluid to more effective cool the stator.

Re claim 12, note cold head 22 of Dustmann, US 4578962.

Re claims 13-19 note that the half coils 16 for cooling channels, which traverse the axial length of the core and are coupled to every lamination of core 10.

Re claim 20, note radial vent ducts 14.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David W. Scheuermann whose telephone number is 571-272-2035. The examiner can normally be reached on Monday through Friday from 8:00 am to 4:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached at (571) 272-2044. The fax phone numbers for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


dws
June 12, 2007


KARL TAMAI
PRIMARY EXAMINER